

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application No.	: 10/084,676	Confirmation No. :	2539
First Named Inventor	: Iris ZIEGLER		
Filed	: February 28, 2002		
TC/A.U.	: 1618		
Examiner	: Blessing Fubara		
Docket No.	: 029310.50932		
Customer No.	: 23911		
Title	: Oral Pharmaceutical Forms of Administration with a Delayed Action		

RESPONSE TO NOTICE OF NON-COMPLIANT APPEAL BRIEF

Mail Stop: **Appeal Brief- Patents**
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In response to the Notice of Non-Compliant Appeal Brief mailed January 2, 2008, Applicants respectfully submit the following replacement section to correct the alleged deficiency relating to 37 C.F.R. § 41.37(c)(1)(iii):

STATUS OF CLAIMS (37 C.F.R. § 41.37(C)(1)(III))

Independent claims 17 and 38 were finally rejected in the Final Office Action mailed July 11, 2007. Independent claims 17 and 38 are now on appeal. Claims 1-16 and 18-37 were cancelled in the response filed July 28, 2003.

No fees are believe to be owed with this submission, however, the Commissioner is hereby authorized to charge any deficiency in fees, or credit any overpayment, to Deposit Account No. 05-1323 (Ref Docket No: 029310.50932US).

January 8, 2008

Respectfully submitted,

/Christopher T. McWhinney/

Christopher T. McWhinney
Registration No. 42,875

J. D. Evans
Registration No. 26,269

CROWELL & MORING LLP
Intellectual Property Group
P.O. Box 14300
Washington, DC 20044-4300
Telephone No.: (202) 624-2500
Facsimile No.: (202) 628-8844
JDE:CTM